

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

L.J., et al.,

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Plaintiffs,

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v.

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Civil Action No. JFM-84-4409

RUTH MASSINGA, et al.,

*

Defendants.

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**JOINT MOTION FOR PRELIMINARY APPROVAL OF MODIFIED CONSENT
DECREE, FOR AN ORDER FOR NOTICE OF PROPOSED MODIFIED
CONSENT DECREE AND SCHEDULING OF A FAIRNESS HEARING,
AND FOR FINAL APPROVAL OF MODIFIED CONSENT DECREE**

Plaintiffs and Defendants, by and through counsel, hereby jointly move the Court pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, for (1) preliminary approval of the parties' proposed Modified Consent Decree, which is appended to the accompanying Memorandum in Support as Attachment A; (2) approval of the process set forth in a proposed order for providing notice to the class and other interested parties of the proposed Modified Consent Decree and a fairness hearing scheduled for August 5, 2009; and (3) final approval of the Modified Consent Decree. The basis for this Motion is that the parties have reached a comprehensive settlement of their current disputes regarding the existing Consent Decree and Modification that they believe is fair, reasonable, adequate, and in the best interests of the Plaintiff class. The grounds for the Motion are set forth in the accompanying Memorandum in Support, which is incorporated by reference.

WHEREFORE, Plaintiffs and Defendants ask this Honorable Court to provide the following relief:

- a. Enter the proposed Order preliminarily approving the Modified Consent Decree, pending the results of a Fairness Hearing.
- b. Enter the proposed Order approving the form and terms of Notice to the Plaintiff class and to other interested parties and scheduling the matter for a fairness hearing pursuant to Rule 23(e).
- c. Following the conclusion of the fairness hearing and the submission by the parties of memoranda in support of final approval, enter the proposed Order for final approval of the Modified Consent Decree.
- d. Provide such further relief as the nature of this cause may require.

Respectfully submitted,

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